

\*\*E-filed 2/24/06\*\*

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Attorneys for Plaintiff and Specially-Appearing  
 Counter-Defendant M. DIANE KOKEN

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

M. DIANE KOKEN,

Plaintiff,

v.

STATECO INC. et al.,

Defendant.

Case No.: 3:05-CV-03007-JF

**STIPULATION AND [PROPOSED]  
 ORDER CONTINUING HEARING  
 DATE FOR KOKEN'S MOTION TO  
 DISMISS TO MARCH 31, 2006**

AND RELATED CROSS-ACTION

Pursuant to Local Rules 6-1 and 6-2, defendants and counter-complainants  
 Stateco Inc., doing business as Stateco Insurance Services, and Thomas Natoli  
 (collectively "Stateco"), and plaintiff and specially-appearing counter-defendant M. Diane  
 Koken, ("Koken") by and through their undersigned counsel, hereby stipulate as follows:

1. WHEREAS Koken filed a motion to dismiss Stateco's counterclaims  
 ("Motion to Dismiss") on January 5, 2006;

2. WHEREAS the hearing for the Motion to Dismiss is currently scheduled for  
 February 24, 2006;

1           3.     WHEREAS Anthony Twardowski, counsel for Koken who intends to argue  
2 the Motion to Dismiss, is unable to attend the hearing due to an unexpected and serious  
3 medical issue;

4           4.     WHEREAS counsel for Koken and Stateco have met and conferred  
5 regarding continuing the hearing date to March 31, 2006 at 9:00 a.m.;

6           5.     WHEREAS continuing the hearing date will not affect any other Court-  
7 ordered deadlines;

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MORGENSTEIN & JUBELIRER LLP  
ATTORNEYS AT LAW  
SAN FRANCISCO

1 IT IS PROPOSED AND STIPULATED:

2 1. The hearing date for Koken's Motion to Dismiss will be continued from  
3 February 24, 2006 to March 31, 2006 at 9:00 a.m.

4 IT IS SO STIPULATED.

5 DATED: February 22, 2006

BERLINER COHEN

6  
7  
8 By Laura Palazzio

Laura Palazzio  
9 Attorneys for Defendants and Counter-  
10 Complainants STATECO INC., dba  
11 STATECO INSURANCE SERVICES and  
THOMAS NATOLI

12 DATED: February 22, 2006

MORGENSTEIN & JUBELIRER LLP

13  
14 By A. S. Leight

Adrienne S. Leight  
15 Attorneys for Plaintiff and Specially  
16 Appearing Counter-Defendant M. DIANE  
17 KOKEN

18 IT IS SO ORDERED

19 For good cause shown, it is so ordered.

20 DATED: 2/24, 2006

21  
22 By Jeremy Fogel

Jeremy Fogel  
23 United States District Court Judge  
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